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13 Attorneys for Defendants  
14 DIGITAL REALTY TRUST, INC.  
15 and ELLEN JACOBS

16 Attorneys for Plaintiff  
17 PAUL SOMERS

18 UNITED STATES DISTRICT COURT

19 NORTHERN DISTRICT OF CALIFORNIA

20 PAUL SOMERS, an individual,

21 Case No. 3:14-cv-05180 EMC

22 Plaintiff,

23 **STIPULATION TO STAY DISCOVERY;  
24 [PROPOSED] ORDER**

25 v.

26 DIGITAL REALTY TRUST, INC., a Maryland  
27 corporation; ELLEN JACOBS, an individual, and  
28 DOES ONE through TEN, inclusive,

Plaintiff.

Defendants.

29 Plaintiff PAUL SOMERS (“Plaintiff”) and Defendants DIGITAL REALTY TRUST, INC.  
30 (“Digital”) and ELLEN JACOBS (collectively, “Defendants”), by and through their respective attorneys  
31 (the “Parties”), hereby submit the following Stipulated Request:

1. The Parties stipulate that a discovery stay shall go into effect until the Court issues an Order regarding Digital's Motion to Dismiss (Dock. No. 20) set for hearing on April 30, 2015 at 1:30 p.m.

2. The Parties further stipulate that good cause exists for this stay on discovery since an order granting Digital's Motion to Dismiss Plaintiff's second cause of action for Whistleblower claims will materially change the factual issues requiring discovery.

3. The Parties further stipulate that no undue prejudice will be suffered by either party as a result of the proposed discovery stay.

This stipulation is executed and filed pursuant to Local Rule 6-1(a). No prior discovery stays have been agreed upon.

## SO STIPULATED.

DATED: March 31, 2015

Respectfully submitted,  
SEYFARTH SHAW LLP

By: /s/ Brian T. Ashe  
Brian T. Ashe  
Kyle A. Petersen (admitted *pro hac vice*)  
Daniel C. Kim

Attorneys for Defendant  
DIGITAL REALTY TRUST  
and ELLEN JACOBS

STEPHEN F. HENRY, ESQ.

DATED: March 27, 2015

By: /s/ Stephen F. Henry  
Stephen F. Henry

Attorneys for Plaintiff  
**PAUL SOMERS**

It is so ORDERED.

April 6, 2015

Dated: \_\_\_\_\_

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